

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: GADOLINIUM CONTRAST DYES
PRODUCTS LIABILITY LITIGATION**

Paul Young v. General Electric Co., et al.,)	
N.D. Illinois, C.A. No. 1:11-8504)	MDL No. 1909

TRANSFER ORDER

Before the Panel:* Pursuant to Rule 7.1, plaintiff moves to vacate our order conditionally transferring this action (*Young*) to MDL No. 1909. Defendants General Electric Co. and GE Healthcare Inc. (the GE defendants) oppose the motion.

Plaintiff argues against transfer, *inter alia*, that the *Young* case was improperly removed from consolidated state court proceedings that parallel MDL No. 1909 and plaintiff's motion for remand to state court is fully briefed and pending. We have long held that jurisdictional objections are not an impediment to transfer. Plaintiff can present his motion for remand to state court to the transferee court. *See, e.g., In re Ivy*, 901 F.2d 7 (2d Cir. 1990); *In re Prudential Ins. Co. of Am. Sales Practices Litig.*, 170 F. Supp. 2d 1346, 1347-48 (J.P.M.L. 2001).

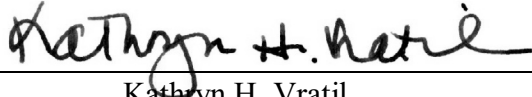
After considering all argument of counsel, we find that the action shares questions of fact with actions in this litigation previously transferred to the Northern District of Ohio, and that transfer of this action to the Northern District of Ohio for inclusion in MDL No. 1909 will serve the convenience of the parties and witnesses and promote the just and efficient conduct of this litigation. Like many of the already-centralized actions, the *Young* case involves factual questions arising from allegations that gadolinium based contrast dye manufactured by the GE defendants may cause a disease known as nephrogenic systemic fibrosis in patients with impaired renal function. *See In re Gadolinium Contrast Dyes Prods. Liab. Litig.*, 536 F. Supp. 2d 1380 (J.P.M.L. 2008).

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, this action is transferred to the Northern District of Ohio and, with the consent of that court, assigned to the Honorable Dan A. Polster for inclusion in the coordinated or consolidated pretrial proceedings occurring there in this docket.

* Judge John G. Heyburn II and Judge Marjorie O. Rendell did not participate in the disposition of this matter.

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PANEL ON MULTIDISTRICT LITIGATION

A handwritten signature in black ink, reading "Kathryn H. Vratil". The signature is written in a cursive style with a horizontal line underneath it.

Kathryn H. Vratil
Acting Chairman

W. Royal Furgeson, Jr.
Paul J. Barbadoro

Barbara S. Jones
Charles R. Breyer